

## REMARKS

Reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks are respectfully requested.

The above-noted Official Action mailed January 18, 2007 and the references relied upon therein have been received and carefully studied. In view of this Official Action, and in an effort to rapidly expedite the prosecution of this application, claims 1-14 and 17 have been canceled without prejudice or disclaimer thereof and replaced by a single independent claim, namely new claim 18, the only claim now remaining under prosecution.

New claim 18 it is submitted now specifies the many advantageous features distinguishing applicant's novel gutter hanger apparatus. Thus, new claim 18 specifies a hanger apparatus comprising, *inter alia*, a support structure, a gutter engagement portion extending upward from the front portion of the support structure, a gutter cover engagement portion extending upward from a middle portion of the support structure wherein the gutter cover engagement portion is located at an elevated position relative to the gutter engagement portion, a support-fastener-reception portion extending upward from the rear portion of said support structure, wherein the support-fastener-reception portion

includes a fastener-reception channel which extends downwardly and rearwardly obliquely with respect to said support structure, wherein the support-fastener-reception portion extends upwardly and rearwardly obliquely with respect to the support structure, wherein the gutter engagement portion extends above said support structure by a first height, said gutter cover engagement portion extends above said bottom portion of said support structure by a second height, and the second height is greater than said first height, wherein the support structure includes reinforcement means for reinforcing the gutter engagement portion and the gutter cover engagement portion, wherein the reinforcement means comprise at least one transverse rib member extending obliquely between the support structure and the gutter cover engagement portion and at least one other transverse rib member extending obliquely between the support structure and the gutter cover engagement portion at an angle thereto, and a central transverse web member extending obliquely between the support structure and the gutter cover engagement portion, and wherein said gutter cover engagement portion and said support-fastener-reception portion extending upwardly and rearwardly obliquely with respect to the support structure define a common concave connecting surface therebetween.

Neither of the references being relied upon by the Examiner, namely **Cobb** and/or **Morandin et al**, even vaguely discloses or suggests the foregoing unique combination of

features in a gutter cover hanger apparatus. **Cobb's** hanger fails to show or contemplate a gutter cover hanger having reinforcing means comprising angled ribs and a central web, nor does this reputed reference anticipate or suggest even remotely the provision of a concave connecting surface between the gutter engagement portion and the upwardly and rearwardly angled support-fastener-reception portion. If anything, the surface extending between the gutter engagement member and the fastener channel in **Cobb** is convex. Similarly, **Morandin et al's** top or upper piece also is curved convexly, the opposite of the "concave" arrangement shown in applicant's specification and which is now clearly specified in rewritten claim 18, particularly as presented herein.

For the foregoing reasons, claim 1, as amended herein, now clearly patentably distinguishes over **Cobb** and/or **Morandin et al**, considered singly or together and the Examiner's rejections under § 102 and 103 are believed to have been avoided and should now be withdrawn.

The Examiner's objections to the specification and drawings, and the Examiner's rejection based upon the first paragraph of § 112, are believed to have been rendered overcome by new claim 18 presented herein which omits the allegedly offending language criticized by the Examiner in respect of the previously presented claims. Moreover, it will be noted that page 14 of the specification has been amended

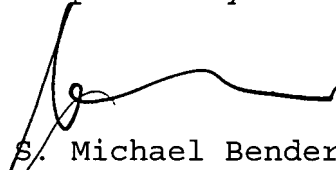
herein without adding new matter to provide a clear antecedent reference to the language of claim 18 with respect to the concave surface commonly connecting the gutter engagement portion and the support fastener reception portion which distinguishing feature clearly is illustrated in applicant's drawings as originally filed.

It is respectfully submitted in view of the foregoing that all grounds of objection and rejection have been overcome by this Amendment. Hence, the application now is believed to be in condition for immediate allowance containing allowed claim 18 and such favorable action earnestly is earnestly solicited.

\* \* \* \* \*

The Examiner is encouraged to telephone the undersigned to resolve any issues still present in the application and to expedite the prosecution of the application, should the Examiner believe such a telephone conference would be helpful.

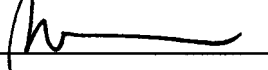
Respectfully submitted,



S. Michael Bender  
Registration No. 24,038  
Attorney of Record For Applicant  
Tel: (727) 866-0900

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that this **AMENDMENT UNDER 37 § 1.112** is being deposited with the United States Postal Service in an envelope addressed to: MS Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on **July 18, 2007**.

Signed on (Date) 7/18/07 by (Signature) 

Name of Person Signing Certificate: S. Michael Bender